

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, JULY 20, 2004**  
**COUNTY COMMISSIONERS HEARING ROOM, ROOM 112**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**1:30 P.M.**

Commissioners Present: Ray Stevens, Chair  
Larry Hudkins, Vice Chair  
Bernie Heier  
Deb Schorr

Commissioners Absent: Bob Workman

Others Present: Kerry Eagan, Chief Administrative Officer  
Bruce Medcalf, County Clerk  
Kristy Mundt, Deputy County Attorney  
Trish Owen, Chief Deputy County Clerk  
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was called to order at 1:30 p.m..

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, July 13, 2004.

**MOTION:** Hudkins moved and Schorr seconded approval of the minutes of the Board of Commissioners meeting dated July 13, 2004. Schorr, Hudkins, Heier and Stevens voted aye. Motion carried.

- 2) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

- 3) **CLAIMS FOR REVIEW:**

A. Payment Voucher 784-9294, dated June 29, 2004, from the Community Mental Health Center, payable to Dean Settle, in the total amount of \$209.80, of which \$125.27 is under review. Payment is for items purchased from the Nebraska Gift Shop for Technical Assistance Policy Analysis Center (TAPA) meeting attendees, in the amount of \$125.57. \$84.23 is for mileage and books.

3) **CLAIMS FOR REVIEW CONTINUED:**

Dean Settle, Community Mental Health Center Director, briefly explained that the Community Mental Health Center had a site visit from officials in Washington relating to the jail diversion grant in which there was a series of meetings and dinners held. The items questioned, which were Nebraska produced items, were purchased and given to the visitors and peers who helped with the program. Settle indicated no one was paid and the items were a "welcome to Lincoln" type of offer.

Kristy Mundt, Deputy County Attorney, stated it was her office's recommendation to deny that portion of the claim explaining that she didn't believe the County has any statutory authority to pay for personal gifts.

Schorr asked if it would make a difference if they were considered in lieu of compensation.

Mundt indicated she would need to review the statutes and suggested that the Board defer the item for one week to allow for additional review.

**MOTION:** Hudkins moved and Heier seconded to defer for one week Payment Voucher 784-9294, dated June 29, 2004, from the Community Mental Health Center. Heier, Hudkins, Schorr and Stevens voted aye. Motion carried.

4) **CLAIMS:** Approval of all claims processed through Tuesday, July 20, 2004.

**MOTION:** Heier moved and Schorr seconded approval of all claims processed through July 20, 2004. Hudkins, Schorr, Heier and Stevens voted aye. Motion carried.

5) **NEW BUSINESS:**

**A. An application for a Special Designated License from Lamp and McTaggart, Inc. d/b/a Fat Nappy's, located at 5100 North 48<sup>th</sup> Street in Lincoln, Nebraska, to cater a wedding reception on Saturday, August 7<sup>th</sup>, 2004 from 6 p.m. to 1 a.m. at Country Pines, located at 6305 West Adams Street, Lincoln, Lancaster County, Nebraska.**

Appearing were Nathan Lamp and Marvin McTaggart, applicants.

In response to a question asked by Hudkins, McTaggart indicated they had been operating their bar for approximately one year. He added he has worked in the beverage industry for six years.

5) **NEW BUSINESS CONTINUED:**

Lamp indicated that both he and McTaggart have completed the "Responsible Hospitality" course.

Stevens noted that the County Engineer indicated that there be no parking along West Adams Street.

Hudkins inquired how the applicants would identify those individuals of legal age.

McTaggart stated they would be placing wristbands on those individuals.

**MOTION:** Heier moved and Hudkins seconded approval of an application for a Special Designated License from Lamp and McTaggart, Inc. d/b/a Fat Nappy's, located at 5100 North 48<sup>th</sup> Street in Lincoln, Nebraska, to cater a wedding reception on Saturday, August 7<sup>th</sup>, 2004 from 6 p.m. to 1 a.m. at Country Pines, located at 6305 West Adams Street, Lincoln, Lancaster County, Nebraska. Hudkins, Heier, Schorr and Stevens voted aye. Motion carried.

**B. An agreement with Blue Cross Blue Shield of Nebraska to submit Medicare claims electronically directly to Blue Cross Blue Shield for payment of services provided at the Community Mental Health Center. The agreement is effective upon execution and includes a 60 day termination provision. (C-04-0323)**

**MOTION:** Heier moved and Schorr seconded approval of an agreement with Blue Cross Blue Shield of Nebraska to submit Medicare claims electronically directly to Blue Cross Blue Shield for payment of services provided at the Community Mental Health Center. Heier, Schorr, Hudkins and Stevens voted aye. Motion carried.

**C. An agreement with Miles Consulting, Inc. for wraparound training for the purpose of building wraparound training capacity in the community. Term of the agreement is July 20, 2004 through and including July 23, 2004. The County will pay \$5,725 for the services. (C-04-0325)**

**MOTION:** Schorr moved and Hudkins seconded approval of an agreement with Miles Consulting, Inc. for wraparound training for the purpose of building wraparound training capacity in the community. Heier, Hudkins, Schorr and Stevens voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

**D. A contract with Dry Cleaning City, in the estimated amount of \$17,588.50 per year, for dry cleaning services for the County Sheriff. Term of the agreement is August 1, 2004 through July 31, 2007, with a renewal option for an additional three year period with mutual consent. (C-04-0326)**

**MOTION:** Heier moved and Hudkins seconded approval of a contract with Dry Cleaning City, in the estimated amount of \$17,588.50 per year, for dry cleaning services for the County Sheriff.

In response to a question asked by Stevens regarding price increase, Kathy Smith, Assistant Purchasing Agent, stated the prices are firm for the first three year period, however, the contractor would have the opportunity to review the pricing for the optional three year period and offer the same terms and conditions or there may be a slight increase depending on market conditions.

**ROLL CALL:** Schorr, Heier, Hudkins and Stevens voted aye. Motion carried.

**E. An agreement with the Board of Regents of the University of Nebraska regarding a Federal work study program with the Lancaster County Public Defender's Office. The County will pay 30 percent of the hourly rate for the period of August 20, 2004 through August 18, 2005. (C-04-0327)**

**MOTION:** Hudkins moved and Schorr seconded approval of an agreement with the Board of Regents of the University of Nebraska regarding a Federal work study program with the Lancaster County Public Defender's Office. Hudkins, Heier, Schorr and Stevens voted aye. Motion carried.

**F. An agreement with the Lincoln Housing Authority (LHA) providing that the Lancaster County Community Mental Health Center supports LHA's application for the Mainstream Housing Opportunities for Persons with Disabilities Program. If the grant is awarded to LHA, the Community Mental Health Center will provide supportive services to recipients of the Mainstream Program vouchers who are also eligible for services from the Community Mental Health Center. The agreement includes a 30 day termination clause. (C-04-0333)**

**MOTION:** Hudkins moved and Schorr seconded approval of an agreement with the Lincoln Housing Authority (LHA) providing that the Lancaster County Community Mental Health Center supports LHA's application for the Mainstream Housing Opportunities for Persons with Disabilities Program.

5) **NEW BUSINESS CONTINUED:**

Heier asked if any of the monies were County funds.

Dean Settle explained that the agreement provides services through Lincoln Housing Authority using Section 8 dollars, specifically for disabled individuals. He said the same services would be provided with the same monies, however, it would assist the County in using Section 8 housing monies for individuals with mental illness.

**ROLL CALL:** Heier, Hudkins, Schorr and Stevens voted aye. Motion carried.

**G. A contract with Cheever Construction Company, in the amount of \$332,900, for labor and materials to remodel County owned property located at 2966 "O" Street for future use by the Lancaster County Community Mental Health Center. (C-04-0334)**

**MOTION:** Heier moved and Hudkins seconded approval of a contract with Cheever Construction Company, in the amount of \$332,900, for labor and materials to remodel County owned property located at 2966 "O" Street for future use by the Lancaster County Community Mental Health Center. Schorr, Hudkins, Heier and Stevens voted aye. Motion carried.

**H. An amendment to an agreement with the State of Nebraska, Department of Health and Human Services, under County Contract C-03-0575, for detention services to juveniles committed to or placed within the State's Office of Juvenile Services. The parties wish to extend the term of the agreement from June 30, 2004 through October 31, 2004. (C-04-0324)**

In response to a question asked by Hudkins, Mundt stated the agreement is the same with the exception of the extension of the term.

Discussion took place regarding the calculation of the per diem rate.

**MOTION:** Hudkins moved and Heier seconded to defer for one week the amendment to an agreement with the State of Nebraska, Department of Health and Human Services, under County Contract C-03-0575, for detention services to juveniles committed to or placed within the State's Office of Juvenile Services. Hudkins, Heier and Schorr voted aye. Stevens voted no. Motion carried.

5) **NEW BUSINESS CONTINUED:**

- I. **A political subdivision tort claim filed against Lancaster County by Paul D. Boross, on behalf of Sue McCollum, for damages.**

**MOTION:** Heier moved and Schorr seconded denial of a tort claim filed against Lancaster County by Paul D. Boross, on behalf of Sue McCollum, for damages. Schorr, Hudkins, Heier and Stevens voted aye. Motion carried.

- J. **A political subdivision tort claim filed by James L. Anderson against the Lancaster County Corrections Department for damages.**

**MOTION:** Heier moved and Hudkins seconded denial of a tort claim filed by James L. Anderson against the Lancaster County Corrections Department for damages. Hudkins, Schorr, Heier and Stevens voted aye. Motion carried.

- 6) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

**A. Receive and Place on File:**

1. **County Assessor/Register of Deeds Monthly Report for June, 2004.**
2. **Clerk of the District Court's Monthly Report for June, 2004.**
3. **Records and Information Management's Monthly Report for June, 2004.**
4. **Lincoln City Libraries Director's Report for June, 2004.**

- B. Setting of a public hearing for Tuesday, August 3, 2004 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding County Final Plat 04060, Hilltop Estates 2<sup>nd</sup> Addition, requested by Brian D. Carstens and Associates on behalf of owners Kirk K. and Marybeth Helmink, Jonathan Peterson, and Brent and Aspen Emery, consisting of three lots, on property generally located at South 82<sup>nd</sup> Street and Pella Road (South 84<sup>th</sup> Street Court and Pella Road) in Lancaster County, Nebraska.**

6) CONSENT ITEMS CONTINUED:

C. Setting of a public hearing for Tuesday, August 10, 2004 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding Comprehensive Plan Amendment 04002, requested by the Director of Planning on behalf of the Lincoln Airport Authority, to adopt the "Lincoln Airport Federal Air Regulations (F.A.R.) Part 150 Noise Compatibility Study" as an approved subarea plan of the Lincoln/Lancaster County Comprehensive Plan, and to amend the Land Use Plan accordingly, for the area generally between Southwest 40<sup>th</sup> Street and South Coddington Avenue, from West South Street to one-half mile of West "A" Street.

D. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following:

- ▶ Verna M. Strode, in the amount of \$3,550.38, at the intersection of North 162<sup>nd</sup> Street and Branched Oak Road; Project C55-A-401(5). (C-04-0328)
- ▶ Mark S. Bohaty, in the total amount of \$3,163, at 7101 Southwest Hunters Court; Project STPE-3305(9). (2 contracts) (C-04-0329 and C-04-0330)
- ▶ Barbara J. Bais and Gregory R. Pettibone, in the total amount of \$1,723.59, at 17201 North 162<sup>nd</sup> Street; Project C55-A-401(5). (2 contracts) (C-04-0331 and C-04-0332)

**MOTION:** Heier moved and Schorr seconded approval of the Consent Items. Schorr, Hudkins, Heier and Stevens voted aye. Motion carried.

7) ADJOURNMENT:

**MOTION:** Heier moved and Hudkins seconded adjournment of the Board of Commissioners meeting at 2 p.m.. Schorr, Heier, Hudkins and Stevens voted aye. Motion carried.

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Bruce Medcalf  
County Clerk

**MINUTES  
LANCASTER COUNTY BOARD OF EQUALIZATION  
TUESDAY, JULY 20, 2004  
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112  
FIRST FLOOR, COUNTY-CITY BUILDING  
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS  
MEETING**

Commissioners Present: Ray Stevens, Chair  
Larry Hudkins, Vice Chair  
Bernie Heier  
Deb Schorr

Commissioners Absent: Bob Workman

Others Present: Norm Agena, County Assessor/Register of Deeds  
Kerry Eagan, Chief Administrative Officer  
Bruce Medcalf, County Clerk  
Kristy Mundt, Deputy County Attorney  
Trish Owen, Chief Deputy County Clerk  
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was called to order at 2 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, July 13, 2004.**

**MOTION:** Hudkins moved and Schorr seconded approval of the minutes of the Board of Equalization meeting dated July 13, 2004. Schorr, Hudkins, Heier and Stevens voted aye. Motion carried.

- 2) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

- 3) **ADDITIONS AND DEDUCTIONS:**

**Approval of 9 additions and deductions to the tax assessment rolls per Exhibit "A".**

**MOTION:** Schorr moved and Heier seconded approval of the additions and deductions to the tax assessment rolls. Heier, Hudkins, Schorr and Stevens voted aye. Motion carried.

4) **MOTOR VEHICLE TAX EXEMPTIONS:**

**American Red Cross, Lancaster County Chapter  
Eastridge Presbyterian Church  
Fellowship Baptist Church  
Lincoln Lancaster County Child Guidance Center  
Lincoln Literacy Council  
St. Teresa Church  
VITAL Services, Inc.**

**MOTION:** Heier moved and Schorr seconded approval of the motor vehicle tax exemptions. Hudkins, Schorr, Heier and Stevens voted aye. Motion carried.

5) **APPEAL FILED ON DENIAL OF A HOMESTEAD EXEMPTION:**

**Roy F. Wait, Jr.**

Norm Agena, County Assessor/Register of Deeds, explained that by state statute an individual must own and occupy the residence from January 1<sup>st</sup> until August 15<sup>th</sup>. He stated Mr. Wait passed away in March of 2004 and the residence was sold in June, 2004. Recommendation was to deny the request to review the denial of a homestead exemption.

**MOTION:** Heier moved and Schorr seconded to accept the recommendation of the County Assessor/Register of Deeds to deny the request for review of a denial of a homestead exemption for Roy F. Wait, Jr.. Hudkins, Heier, Schorr and Stevens voted aye. Motion carried.

6) **APPEALS FILED ON LATE FILED HOMESTEAD EXEMPTIONS:**

**James and Cecilia Barefield  
Viola Carl  
Irene Deardorff  
Rose Duhrkopf  
Norman A. and Denta B. Vermaas**

Agena explained that state statute allows the Board of Equalization to approve homestead exemptions filed after June 30<sup>th</sup> provided that they are filed prior to July 20<sup>th</sup> and that the individual(s) did not file late in the previous year.

Recommendation was to approve homestead exemptions for James and Cecilia Barefield (filed on July 12, 2004), Viola Carl (filed on June 14, 2004), Rose Duhrkopf (filed on July 6, 2004) and Norman A. and Denta B. Vermaas (filed on July 13, 2004).

Agena stated his recommendation was to deny the homestead exemption for Irene Deardorff for 2003 and explained that the Board of Equalization has no authority to grant an exemption for the previous year. He added that the exemption has been approved for Mrs. Deardorff for 2004.

**MOTION:** Hudkins moved and Schorr seconded approval of homestead exemptions for 2004 for James and Cecilia Barefield, Viola Carl, Rose Duhrkopf and Norman A. and Denta B. Vermaas. Heier, Schorr, Hudkins and Stevens voted aye. Motion carried.

**MOTION:** Hudkins moved and Heier moved seconded to accept the recommendation of the County Assessor/Register of Deeds and deny the homestead exemption for Irene Deardorff for 2003. Heier, Hudkins, Schorr and Stevens voted aye. Motion carried.

7) **ADJOURNMENT:**

**MOTION:** Heier moved and Schorr seconded adjournment of the Board of Equalization meeting at 2:08 p.m.

John Taylor, attorney representing Irene Deardorff, appeared and indicated he is now the power of attorney for Mrs. Deardorff. He explained they were requesting the approval because of Mrs. Deardorff's low income.

**ROLL CALL:** Schorr, Heier, Hudkins and Stevens voted aye. Motion carried.

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Bruce Medcalf  
County Clerk